

**IN THE UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF PENNSYLVANIA**

**KENNETH BAKER and
DAVID GREEN,
Plaintiffs**

v.

**EUGENE LEITZEL,
Defendant**

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No. 1:18-cv-1366

(Judge Kane)

(Magistrate Judge Carlson)

ORDER

Before the Court in the above-captioned action is the July 11, 2018 Report and Recommendation of Magistrate Judge Carlson. (Doc. No. 2.) No timely objections have been filed. **ACCORDINGLY**, on this 31st day of July 2018, upon independent review of the record and the applicable law, **IT IS ORDERED THAT:**

1. The Court **ADOPTS** the Report and Recommendation (Doc. No. 2), of Magistrate Judge Carlson;
2. Plaintiffs' complaint is **DISMISSED** for lack of federal jurisdiction over Plaintiffs' claims, without prejudice to Plaintiffs' ability to assert their claims in state court; and
3. The Clerk of Court is directed to **CLOSE** this case.

s/ Yvette Kane
Yvette Kane, District Judge
United States District Court
Middle District of Pennsylvania